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September 27, 2010*

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14 **UNITED STATES BANKRUPTCY COURT**
15 **DISTRICT OF NEVADA**

16 In re:) CASE NO. BK-09-14814-LBR
) (Jointly Administered)
17 THE RHODES COMPANIES, LLC, aka)
"Rhodes Homes," et al.,) Chapter 11
18 Reorganized Debtors. ¹)

19 Affects:

20 ☒ All Debtors
21 ☐ The Following Debtor(s):
22 _____

23 ¹ The Reorganized Debtors in these cases, along with the last four digits of each Debtor's federal tax identification
24 number, if applicable, are: Heritage Land Company, LLC (2918); The Rhodes Companies, LLC (3060); Rhodes
Ranch General Partnership (1760); Tick, LP (0707); Glynda, LP (5569); Chalkline, LP (0281); Batcave, LP (6837);
25 Jackknife, LP (6189); Wallboard, LP (1467); Overflow, LP (9349); Rhodes Ranch Golf and Country Club (9730);
Tuscany Acquisitions, LLC (0206); Tuscany Acquisitions II, LLC (8693); Tuscany Acquisitions III, LLC (9777);
26 Tuscany Acquisitions IV, LLC (0509); Parcel 20 LLC (5534); Rhodes Design and Development Corp. (1963); C&J
Holdings, Inc. (1315); Rhodes Realty, Inc. (0716); Jarupa LLC (4090); Elkhorn Investments, Inc. (6673); Rhodes
27 Homes Arizona, LLC (7248); Rhodes Arizona Properties, LLC (8738); Tribes Holdings LLC (4347); Six Feathers
Holdings, LLC (8451); Elkhorn Partners, A Nevada Limited Partnership (9654); Bravo Inc. (2642); Gung-Ho
28 Concrete, LLC (6966); Geronimo Plumbing, LLC (6897); Apache Framing, LLC (6352); Tuscany Golf Country
Club, LLC (7132); Pinnacle Grading, LLC (4838).

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NOTICE OF ENTRY OF STIPULATION AND ORDER REGARDING BRIEFING SCHEDULE

NOTICE IS HEREBY GIVEN that the STIPULATION AND ORDER REGARDING BRIEFING SCHEDULE filed September 27, 2010, was entered herein on this Court's docket. A copy of said Stipulation and Order is attached hereto.

Dated this 27th day of September, 2010.

By: 

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Entered on Docket
September 27, 2010

A handwritten signature in black ink, appearing to read "L. B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Counsel for the Reorganized Debtors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,

Reorganized Debtors.

☒ Affects all Debtors

☐ Affects the following Debtors

Case No. BK-S-09-14814-LBR

(Jointly Administered)

Chapter 11

**STIPULATION AND ORDER REGARDING
BRIEFING SCHEDULE**

1 James M. Rhodes ("Rhodes"), by and through his undersigned counsel, Fox Rothschild, LLP,
2 and the above-captioned reorganized debtors (collectively, the "Reorganized Debtors"), by and through
3 their undersigned counsel, Kolesar & Leatham, Chtd. and Akin Gump Strauss Hauer & Feld LLP,
4 respectfully submit this Stipulation and Order Regarding Briefing Schedule (the "Stipulation"). Rhodes
5 and the Reorganized Debtors are collectively referred to herein as the "Parties." The Parties stipulate
6 and agree as follows:

7 WHEREAS, on August 24, 2010 this Court held a status hearing (the "Hearing") on the
8 Reorganized Debtors' Objection to James Rhodes' Proof of Claim Number 814-33 and Notice of
9 Amendment of Schedules of Assets and Liabilities (the "Objection").

10 WHEREAS, during the Hearing, the Parties indicated that they had agreed that this matter
11 should be bifurcated into two phases with respect to: (1) Rhodes' entitlement to the Tax Claim¹ ("Phase
12 I"); and (2) the discovery necessary to support (a) the amount of the Tax Claim (if Rhodes is found by
13 the Court to have an entitlement to the Tax Claim), (b) allowance of the Greenway Claim, and (c) all
14 issues regarding the Scheduling of Claims, including the Reorganized Debtors' ability to amend the
15 Statements after confirmation of the Third Amended Modified Plan of Reorganization Pursuant to
16 Chapter 11 of the Bankruptcy Code for The Rhodes Companies, LLC, *et al.* ("Phase II").

17 WHEREAS, this Court has requested that the Parties draft an order which sets forth the briefing
18 schedule and hearing date with regard to the issue set forth in Phase I.

19 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for
20 the Parties, as follows:

21 1. The Reorganized Debtors shall file their brief in opposition (the "Reorganized Debtors'
22 Brief") to Rhodes' entitlement to the Tax Claim on or before September 17, 2010.

23 2. Rhodes shall file any reply brief in support of Rhodes' entitlement to the Tax Claim, and
24 in opposition to the Reorganized Debtors' Brief, on or before September 27, 2010.

25
26
27 ¹ All capitalized terms not otherwise defined herein shall have the meaning ascribed to such
28 terms in the Objection.

3. The Reorganized Debtors shall file any reply brief in support of their opposition to Rhodes' entitlement to the Tax Claim on or before October 4, 2010.

4. The hearing regarding the Phase I briefs described above shall take place at 9:30 a.m. (PST) on November 4, 2010.

DATED this 15th day of September 2010.

Prepared and respectfully submitted by:

FOX ROTHSCHILD LLP

**AKIN GUMP STRAUSS HAUER & FELD
LLP**

By /s/ Kevin N. Anderson

By /s/ Philip C. Dublin

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Counsel for the Reorganized Debtors

ORDER

It is so **ORDERED**.

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